

REMARKS

In paragraph 4 of the present Office Action, Claims 1-24 are rejected under 35 U.S.C. § 102(e) as unpatentable over U.S. Patent No. 6,704,868 to *Challener et al.* (*Challener*). That rejection is respectfully traversed, and favorable reconsideration of the claims is requested.

Applicant respectfully submits that *Challener* does not render exemplary Claim 1 (and similar Claims 9 and 17) of the present invention unpatentable under 35 U.S.C. § 102(e) because the cited reference does not identically disclose each feature recited therein. For example, *Challener* does not disclose the following steps of exemplary Claim 1:

storing an associated key in the encrypting data processing system and encrypting the user key with the associated key to obtain an encrypted user key;

said encrypting data processing system communicating at least one encrypted message together with the encrypted user key to a recipient system in order to permit validation of an association of the user with the encrypted messages by the recipient system;

In paragraphs 4(b) and 4(c) of the present Office Action, *Challener's* user private key is cited as teaching the claimed "user key," and *Challener's* chip public key is cited as teaching the claimed "associated key". Thus, under this mapping of elements, for *Challener* to anticipate exemplary Claim 1, *Challener* must disclose that an encrypting data processing system communicates the user private key (as encrypted by the chip public key) to a recipient system together with a message encrypted with the user private key to permit validation by the recipient system.

With respect to this communicating step, paragraph 4(d) of the present Office Action cites col. 2, lines 12-15 of *Challener*, which as noted by the Examiner, disclose that "[i]n order to allow the signature chip to perform an authentication, a user must provide a correct password to the signature chip." *Challener's* teaching that a signature chip may require a password in order to sign a digital signature does not teach or suggest the claimed step of an encrypting data processing system communicating, to a recipient data processing system, a user private key (as encrypted by the chip public key) together with a message encrypted with the user private key in

order to permit the recipient system to validate an association of a user with the encrypted message. Moreover, upon review of the remainder of *Challener*, as exemplified by *Challener's* Figures 2a-2b, Applicant submits that *Challener* does not elsewhere teach or suggest the claimed "communicating" step of exemplary Claim 1.

In view of the failure of *Challener* to disclose "said encrypting data processing system communicating at least one encrypted message together with the encrypted user key to a recipient system in order to permit validation of an association of the user with the encrypted messages by the recipient system," as recited in exemplary Claim 1, Applicant respectfully submits that Claim 1, similar Claims 9 and 17 and their respective dependent claims are not rendered unpatentable by *Challener*.

Applicant further submits that *Challener* does not render Claims 1, 9 and 17 unpatentable because that reference does not disclose "thereafter, preventing validation of the association of the user with messages by revoking the associated key at the encrypting data processing system," as recited in exemplary Claim 1.

With respect to the "preventing" step of exemplary Claim 1, paragraph 4(e) of the present Office Action cites col. 4, lines 33-36 of *Challener*, which disclose that a human may discard any record of the user public/private key pair. However, Applicant respectfully points out that, as *Challener's* chip public key is cited in paragraph 4(c) of the Office Action as disclosing the claimed "associated key", anticipation under 35 U.S.C. § 102(e) requires that *Challener* disclose the encrypting data processing system revoking the chip public key. Such a step is not taught or suggested by *Challener*, however. Applicant therefore respectfully submits that the rejections of Claims 1, 9 and 17 and their respective dependent claims under 35 U.S.C. § 102(e) is overcome.

Applicant further respectfully points out that *Challener* cannot render the present invention unpatentable under 35 U.S.C. § 103(c) because the present application was filed after November 29, 1999, and *Challener* is commonly assigned to IBM Corporation, the assignee of the present application. *Challener* is therefore not available as a reference under 35 U.S.C. § 103.

Having now responded to each rejection set forth in the present Office Action, Applicant believes all pending claims are now in condition for allowance and respectfully requests such allowance.

No additional fee is believed to be required; in the event any additional fee is required, please charge such fee to IBM Corporation Deposit Account No. 50-0563.

Respectfully submitted,

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